

#17

NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCESDocket Number  
33997.0011

In re Application of Andreas METELSKI et al.

Application Number 09/423916

Filed 2/28/2000

For MICROSCOPE STAND, ESPECIALLY FOR A SURGICAL  
MICROSCOPE

Group Art Unit 3632

Examiner Steven M. Marsh

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated  
7/16/2002, rejecting the following claims: 14-42, 44, and 45

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 320.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the  
fee shown above is reduced by half, and the resulting fee is:

\$

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Commissioner has already been authorized to charge fees in this application  
to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Commissioner is hereby authorized to charge any fees which may be  
required, or credit any overpayment to Deposit Account No. 08-2442.  
I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not  
be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

- ☐ applicant.  
☐ assignee of record of the entire interest.  
☒ attorney or agent of record.  
☐ attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a).

Signature

George L. Snyder, Jr.

Typed or printed name

10/09/2002 AWONDAF1 00000030 09423916

01 FC:119

320.00 OP

September 30, 2002

Date

## CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the  
United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope  
addressed to the: Commissioner for Patents, Washington, D.C. 20231.

Date September 30, 2002

Barbara Haggerty

(Type or print name of person mailing paper)

(Signature of person mailing paper)

# **FREE TRANSMITTAL** for FY 2002

Patent Fees are subject to annual revision.

Filing Date 02/28/2000  
First Named Inventor Andreas Metelski et al.  
Examiner Name Steven M. Marsh  
Group/Art Unit 3632  
Attorney Docket Number 33997.0011

OCT 07 2002

Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$320.00)

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account: Deposit Account Number: 08-2442

Deposit Account Name: Hodgeson Russ LLP

The Commissioner is hereby authorized to (check all that apply)

☐ Charge fee(s) indicated below

☒ Charge any fee deficiencies or credit any overpayments

☐ Charge any additional fees during pendency of this application.

☐ Charge fees indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee Fee Description Fee Paid

101 740 201 370 Utility filing fee \$

106 330 206 165 Design filing fee \$

107 510 207 255 Plant filing fee \$

108 740 208 370 Reissue filing fee \$

114 160 214 80 Provisional filing fee \$

SUBTOTAL (1) \$0

## 2. EXTRA CLAIM FEES FOR UTILITY/ REISSUE

Extra Fee from Fee Paid  
Claims below  
Total Claims // -20\*\* = // x // = \$

Independent Claims // - 3\*\* = // x // = \$

Multiple dependent // x // = \$

Large Entity Small Entity

Fee Fee Fee Fee Fee Description Fee Paid

103 18 203 9 Claims in excess of 20 \$

102 84 202 42 Independent claims in excess of 3 \$

104 280 204 140 Multiple dependent claim if not paid \$

109 84 209 42 \*\*Reissue independent claims over original patent \$

110 18 210 9 \*\*Reissue claims in excess of 20 and over original patent \$

SUBTOTAL (2) \$0

SIGNATURE: George L. Snyder, Jr. Reg. No. 37,729

DATE: September 30, 2002 Telephone: (716) 848-1545

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity

Small Entity

Fee Code Fee (\$) Fee Code Fee (\$) Fee Description Fee Paid

105 130 205 65 Surcharge - late filing fee or oath \$

127 50 227 25 Surcharge - late provisional filing fee or cover sheet \$

139 130 139 130 Non-English specification \$

147 2,520 147 2,520 For filing a request for *ex parte* reexamination \$

112 920\* 112 920\* Requesting Publication of SIR prior to Examiner Action \$

113 1,840\* 113 1,840\* Requesting Publication of SIR after Examiner Action \$

115 110 215 55 Extension for reply within first month \$

116 400 216 200 Extension for reply within second month \$

117 920 217 460 Extension for reply within third month \$

118 1,440 218 720 Extension for reply within fourth month \$

128 1,960 228 980 Extension for reply within fifth month \$

119 320 219 160 Notice of Appeal \$320

120 320 220 160 Filing a brief in support of an appeal \$

121 280 221 140 Request for oral hearing \$

138 1,510 138 1,510 Petition to institute a public use proceeding \$

140 110 240 55 Petition to revive - unavoidable \$

141 1,280 241 640 Petition to revive - unintentional \$

142 1,280 242 640 10 advance copies \$

Utility issue fee (or reissue) \$

143 460 243 230 Design issue fee \$

144 620 244 310 Plant issue fee \$

122 130 122 130 Petitions to the Commissioner \$

123 50 123 50 Processing fee under 37 CFR 1.17(g) \$

126 180 126 180 Submission of Information Disclosure Statement \$

Recording each patent assignment per property (times number of properties) \$

146 740 246 370 Filing a submission after final rejection(37 CFR 1.129(a)) \$

149 740 249 370 For each add'l invention to be examined(37 CFR 1.129(b)) \$

179 740 279 370 Request For Continued Examination (RCE) \$

169 900 169 900 Request for Expedited Examination of a design appln. \$

Other fee (specify) \$

\*Reduced by basic filing fee paid SUBTOTAL (3) \$320

I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on September 30, 2002.

Barbara Haggerty  
Name

Signature

September 30, 2002  
Date of Signature

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